

REMARKS

Applicants submit this Response in response to the Examiner's Final Office Action mailed on March 3, 2006 and Applicants' telephone communication with Examiner Ralph J. Gitomer on March 14, 2006. Claims 1-122 and 129-136 have been canceled without prejudice. Claims 123-128 are now pending.

In the Office Action, the Examiner objects to the specification as failing to provide antecedent basis for the claimed subject matter because the specification as originally filed does not contain written description for a kit.

As stated in Applicants' Response to the last office action filed on February 9, 2006, a test kit for enzymatically depositing metal in a zero oxidation state is disclosed and claimed at page 44, lines 4-6 of the specification of the parent application No. 09/822,131 as originally filed; and this parent application was incorporated by reference in its entirety via a "Cross Reference to Related Applications" on page 1 of the instant application.

During Applicants' telephone communication with Examiner Gitomer, Examiner Gitomer suggested that Applicants amend the specification by importing the description of the test kit in the parent application No. 09/822,131 into the specification of the instant application.

Following the Examiner's suggestion, Applicants amend the specification at page 9 and page 27 by inserting paragraphs describing the test kit disclosed in application No. 09/822,131. As the paragraphs essentially describe verbatim the test kit disclosed in application No. 09/822,131, no new matter is introduced to the specification. Entry of the amendments to the specification is therefore respectfully requested.

As such, the pending claims directed to a kit are entitled to the early priority date of the filing date of application No. 09/822,131: March 30, 2001.

Application No. 10/658,609
Reply to Office Action: March 24, 2006
Office Action Dated: March 3, 2006

CONCLUSION

In view of the above remarks, Applicants respectfully request the Examiner to expedite the prosecution of this patent application to issuance. Should the Examiner have any question, the Examiner is encouraged to telephone the undersigned.

The Commissioner is authorized to charge any additional fees that may be required, including petition fees and extension of time fees, or credit any overpayment to Deposit Account No. 23-2415 (Docket No. 6270-705.501).

Respectfully submitted,

WILSON SONSINI GOODRICH & ROSATI

Dated: March 24, 2006

By:



Shirley Chen, Ph.D.
Registration No. 44,608

650 Page Mill Road
Palo Alto, CA 94304
Direct Dial: (650) 565-3856
Fax: (650) 493-6811
Customer No. 21971